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Docket No. 000309.00051

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William J. Carroll, et al.

Serial No: 10/717,925 Filed: November 21, 2003

For: : Surface Stimulation for Tremor Control

GAU: 3762

Confirmation No. 7556 Examiner: Unknown

#### **INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant(s) wish to disclose the following information.

REF	ER	EN	С	ES
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M	of the listed references are attached, where required, as are either statements of relevancy or any
$\Box$	readily available English translations of pertinent portions of any non-English language references.  A check is attached in the amount required under 37 CFR §1.17(p).
ш	A check is attached in the amount required under or or it given (p).
REL	ATED CASES
	Attached is a copy of applicant's pending application(s) or issued patent(s) which may be related to the

present application. These documents are listed on form PTO-1449, also attached.

A check is attached in the amount required under 37 CFR §1.17(p).

# CERTIFICATION

Each item of information contained in this information disclosure statement was cited for the first time in
any communication from a foreign patent office in any counterpart foreign application not more than
three months prior to the filing of this statement.
No item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge
of the undersigned, having made reasonable inquiry, was known to any individual designated in 37
CER \$1.56(c) more than three months prior to the filing of this statement.

This Information Disclosure Statement is being filed within three months of the filing date of the subject patent application.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.

### **PETITION**

Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee required under 37 CFR §1.17(i)(1).

#### **DEPOSIT ACCOUNT**

Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 23-2185. A duplicate copy of this sheet is enclosed.

Blank Rome LLP 600 New Hampshire Avenue, N.W. Washington, DC 20037

Tel: (202) 772-5800 Fax (202) 572-8398 Customer No.: 27557

Date: June 22, 2004

Respectfully submitted,

Michael C. Greenbaum Attorney of Record Registration No. 28,419

PTO/SB/08a Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449A/PTO

Sheet

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

Complete if Known					
Application Number	10/717,925				
Filing Date	November 21, 2003				
First Named Inventor	William J. Carroll				
Art Unit	3762				
Examiner Name	Unknown				
Attorney Docket Number	000309.00051				

	U. S. PATENT DOCUMENTS							
Examiner	Cite No.1	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where			
Initials*		Number-Kind Code <sup>2 (if known)</sup>	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear			
		US-6,647,296	11/11/2003	Fischell et al.				
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FOREIGN PATENT DOCUMENTS									
Cite No.1	Foreign Patent Document  Country Code <sup>3-</sup> Number <sup>4</sup> Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>				
		11/21/2003	International Rehabilitative Sciences, Inc.						
	No. <sup>1</sup>	Cite No.1  Foreign Patent Document  Country Code <sup>3-</sup> Number <sup>4</sup> Kind Code <sup>5-</sup> (if known)  PCT/US03/37372 International Search	Cite No.1 Foreign Patent Document Publication Date MM-DD-YYYY  Country Code3 Number4 Kind Code5 (if known)  PCT/US03/37372 International Search 11/21/2003	Cite No.1 Foreign Patent Document Publication Date MM-DD-YYYY Name of Patentee or Applicant of Cited Document  Country Code3 Number4 Kind Code5 (if known)  PCT/US03/37372 International Search 11/21/2003 International Rehabilitative	Cite No.1    Publication Date Name of Patentee or Applicant of Cited Document MM-DD-YYYY   Post-off Country Code3 Number4 Kind Code5 (if known)				

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Examiner		 Date	
Signature		Considered	

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TO/SB/08b (08-03)

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ons are required to respond to a collection of information unless it contains a valid OMB control number. Under the Paperwork Reduction A

Complete if Known Substitute for form 1449A/PTO Application Number 10/717,925 INFORMATION DISCLOSURE Filing Date November 21, 2003 STATEMENT BY APPLICANT First Named Inventor William J. Carroll (Use as many sheets as necessary) Art Unit 3762 Examiner Name Unknown Attorney Docket Number Sheet 000309.00051

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of

	NON PATENT LITERATURE DOCUMENTS						
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		KATAYAMA Y., Deep brain stimulation therapy for involuntary movements, Rinsho Shinkeigaku, 2001/12/01 00:00; 41(12):1079-80, 1 page					
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		ROCCHI L, et al, Effects of deep brain stimulation and levodopa on postural sway in Parkinson's disease, J. Neuro Neurosurg Psychiatry, 2002 Sep; 73(3):267-74, 2-page Article					

Examiner	Date
Signature	Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Sut	ostitute for form 1449A/PTO			Complete if Known		
				Application Number	10/717,925	
	FORMATION I		· ·	Filing Date	November 21, 2003	
SI	TATEMENT BY	AP	PLICANI	First Named Inventor	William J. Carroll	
	(Use as many sheets	s as nece	essary)	Art Unit	3762	
				Examiner Name	Unknown	
Sheet	3	of	3	Attorney Docket Number	000309.00051	

		NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	nclude name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, nagazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
		NASSER JA, et al, Deep brain stimulation of VIM thalamic nucleus for tremor control, Arq Neuropsiquiatr. 2002 Jun; 60(2-B):429-34, 1-page Article					
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		MOBILE PET SYSTEMS, INC., Clinical Applications, 5-pages					
		NEUROLOGICAL ASSOCIATES, INC., Deep Brain Stimulation, West Virginia, 6-page Article					

Examiner Signature	Date Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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